

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

S

Nikki McCarter, et al.

Plaintiff(s)

v.

Case No. 1:24-cv-20-LM-AJ

NH Secretary of State, et al.

Defendant(s)

MOTION TO/FOR WITHDRAW OR DISMISS A PRO SE PLAINTIFF

(enter title of motion)

The undersigned pro se plaintiff hereby moves for entry of an order withdrawing and dismissing her as a party in this case, on the grounds that she no longer wishes to participate in this matter.

Enter text of motion using numbered paragraphs (explain what you want the court to do). The field will expand as you type.

Date: 2/12/2024


Signature

MEMORANDUM OF LAW

Pursuant to LR 7.1(a)(2), every motion shall be accompanied by a memorandum with citations to supporting authorities or a statement explaining why a memorandum is unnecessary.

☒ I have attached a supporting memorandum of law to this motion.

☐ I have NOT attached a memorandum of law because none is required (explain your reasoning below).

Please see attached acknowledgements that both the Defendants counsel has assented to the relief requested in this motion.

CONCURRENCES SOUGHT

Pursuant to LR 7.1(c), any party filing a motion other than a dispositive motion (a dispositive motion seeks an order disposing of one or more claims in favor of the moving party, for example, a motion to dismiss or a motion for summary judgment) shall certify to the court that a good faith attempt has been made to obtain concurrence/agreement in the relief sought. If concurrence is obtained, the moving party shall so note.

I certify the following (choose one):

- ☒ All parties have assented/agreed to this motion.
- ☐ I made a good faith attempt, but was unable to successfully obtain concurrence/agreement from all parties.
- ☐ I have NOT attempted to obtain concurrence/agreement because it is not required.

CERTIFICATE OF SERVICE

I hereby certify that this motion was electronically filed in the court's electronic filing system and served on the following persons on the date and in the manner specified below:

Person(s) served electronically (via ECF):

Person(s) served by mail. Please include address(es):

BRYAN K. GORDON / JACOB M. RHODES - CLEVELAND, WATERS, BASS, PA
TWO CAPITAL PLAZA, CONCORD, NH 03301
BRENDAN O'DONNELL, NH AG/DOJ FOR NH SOS
33 CAPITAL STREET, CONCORD, NH 03301

Person(s) served by hand:

Date of Service: 02/12/2024

Signature: *Nikki McCarter*

Name: Nikki McCarter

Address:

107 N Main St, Concord, NH 03301

Phone: 603/303-8934

Email: nikki.mccarter@leg.state.nh.us

UNITED STATES DISTRICT COURT

for the

District of New Hampshire

Patricia Jorgensen, et al.

Plaintiff

v.

NH Secretary of State, et al.

Defendant

Case No. 1:24-cv-20-LM-AJ

APPEARANCE OF COUNSEL

To: The clerk of court and all parties of record

I am admitted or otherwise authorized to practice in this court, and I appear in this case as counsel for:

Chris Ager, New Hampshire Republican State Committee

Date: 02/01/2024

/s/ Jacob M. Rhodes

Attorney's signature

Jacob M. Rhodes (NH Bar #274590)

Printed name and bar number

Cleveland, Waters and Bass, P.A.
Two Capital Plaza, Concord, NH 03301

Address

rhodesj@cwbp.com

E-mail address

(603) 224-7761

Telephone number

(603) 224-6457

FAX number

UNITED STATES DISTRICT COURT
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Patricia Jorgensen, et al.

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APPEARANCE OF COUNSEL

To: The clerk of court and all parties of record

I am admitted or otherwise authorized to practice in this court, and I appear in this case as counsel for:

Chris Ager, New Hampshire Republican State Committee

Date: 02/01/2024

/s/ Bryan K. Gould

Attorney's signature

Bryan K. Gould (NH Bar #8165)

Printed name and bar number

Cleveland, Waters and Bass, P.A.
Two Capital Plaza, Concord, NH 03301

Address

gouldb@cwbp.com

E-mail address

(603) 224-7761

Telephone number

(603) 224-6457

FAX number

----- Forwarded message -----

From: O'Donnell, Brendan <brendan.a.odonnell@doj.nh.gov>
Date: Fri, Feb 9, 2024, 08:31
Subject: RE: Withdrawal from Jorgensen/Testerman, et al
To: Bryan Gould <gouldb@cwbp.com>, Nicole McCarter <nicolermccarter@gmail.com>
Cc: Jacob Rhodes <Rhodesj@cwbp.com>

Good morning Representative McCarter,

You have my assent to your request to withdraw.

-Brendan

From: Bryan Gould <gouldb@cwbp.com>
Sent: Friday, February 9, 2024 8:00 AM
To: Nicole McCarter <nicolermccarter@gmail.com>
Cc: O'Donnell, Brendan <brendan.a.odonnell@doj.nh.gov>; Jacob Rhodes <Rhodesj@cwbp.com>
Subject: Re: Withdrawal from Jorgensen/Testerman, et al

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Yes, you have our assent.

On Feb 9, 2024, at 7:58 AM, Nicole McCarter <nicolermccarter@gmail.com> wrote:

Can I accept your acknowledgment of this email as accenting to my withdrawal? I want to correctly notify the court.

Thank you for your prompt response.

Representative Nikki McCarter

Belmont

On Fri, Feb 9, 2024, 07:53 Bryan Gould <gouldb@cwbp.com> wrote:

Received, Nikki. Thank you for letting us know.

> On Feb 9, 2024, at 7:43 AM, Nicole McCarter <nicolermccarter@gmail.com> wrote:

>

>

> Good morning,

>

> I am writing to notify your offices of my intent to withdraw myself from the cases filed with the plaintiffs. Specifically, 1:24-cv-00020 LM-AJ and any prior or future filings.

>

> I agreed in haste to be part of this project, however after a more careful review of the documents, it does not appear that my participation contributes positively in any way.

>

> This should not be construed to mean that I don't agree with the premise of the arguments. I just do not believe this is the correct method to resolve this issue.

>

> Please notify me that you have received this email so that I can inform the court of my intentions.

>

> Sincerely,

>

> Representative Nikki McCarter

> Belmont